

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BRANDON RESCH,

Plaintiff,

v.

CATHOLIC CHARITIES OF JACKSON,
LENAWEE, AND HILLSDALE COUNTIES,
et al.,

Defendants.

Case No. 1:21-cv-914

HON. JANET T. NEFF

ORDER

On August 15, 2023, U.S. Magistrate Judge Phillip J. Green issued a Report and Recommendation (ECF No. 162), recommending that this Court grant Defendant's Motion to Dismiss and terminate this matter. A copy of the Report and Recommendation was sent to Plaintiff at his last known address. On August 30, 2023, the Report and Recommendation was returned to the Court marked "return to sender," "unable to forward," and "moved" (ECF No. 164).

Even though Plaintiff does not appear to have received a copy of the Report and Recommendation, he was properly served when the Report and Recommendation was placed in the mail to his last known address. FED. R. CIV. P. 5(b)(2)(C). Furthermore, Plaintiff has failed to comply with this Court's local rules requiring him to inform the Court of his current address. *See* W.D. Mich. LCivR. 41.1

After being served with a Report and Recommendation, a party has fourteen days to file written objections to the proposed findings and recommendations. 28 U.S.C. § 636(b)(1)(C); FED.

R. Civ. P. 72(b); *see United States v. Sullivan*, 431 F.3d 976, 984 (6th Cir. 2005). No objections have been filed to date. Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation (ECF No. 162) is APPROVED and ADOPTED as the Opinion of the Court.

IT IS FURTHER ORDERED that the Motion to Dismiss (ECF No. 149) is GRANTED.

IT IS FURTHER ORDERED that this Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this decision would not be taken in good faith because Plaintiff failed to file any objections. *See McGore v. Wrigglesworth*, 114 F.3d 601, 610-11 (6th Cir. 1997), overruled on other grounds by *Jones v. Bock*, 549 U.S. 199, 206, 211-12 (2007).

A judgment will issue in accordance with this order.

Dated: September 7, 2023

/s/ Janet T. Neff
JANET T. NEFF
United States District Judge